PATENT COOPERATION TREATY PCT



INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	(Form PCT/ISA/2	f Transmittal of International Search Report 20) as well as, where applicable, item 5 below.
7315/JH	ACTION	
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)
PCT/US 99/24937	22/10/1999	24/10/1998
Applicant THE PROCTER & GAMBLE COMPA	ANY et al.	
This International Search Report has been according to Article 18. A copy is being tra	n prepared by this International Searching Authorsmitted to the International Bureau. of a total ofsheets.	
X It is also accompanied by	a copy of each prior art document cited in this	report.
Basis of the report a. With regard to the language, the language in which it was filed, unli	international search was carried out on the bas ess otherwise indicated under this item.	is of the international application in the
the international search w Authority (Rule 23.1(b)).	as carried out on the basis of a translation of the	ne international application furnished to this
was carried out on the basis of the contained in the internatio filed together with the inte furnished subsequently to furnished subsequently to the statement that the sub international application a the statement that the info	e sequence listing: onal application in written form. omational application in computer readable form o this Authority in written form. o this Authority in computer readble form. osequently furnished written sequence listing d is filed has been furnished.	
3. X Unity of invention is lace		
4. With regard to the title, X the text is approved as su the text has been establis	bmitted by the applicant. hed by this Authority to read as follows:	
5. With regard to the abstract,		
the text is approved as su the text has been establis within one month from the	bmitted by the applicant. hed, according to Rule 38.2(b), by this Authorit date of mailing of this international search rep	ty as it appears in Box III. The applicant may, ort, submit comments to this Authority.
6. The figure of the drawings to be publed as suggested by the applicant fail because this figure better	cant.	None of the figures.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

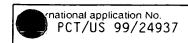
1. Claims: 1-36,38-42

A flexible wrap container for use in a washing machine, a kit for cleaning clothes and process for cleaning clothes with the flexible wrap container.

2. Claim : 37

An article of manufacture for applying a cleaning composition to a stain.





Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)
This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely: .
Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)
This International Searching Authority found multiple inventions in this international application, as follows:
As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-36, 38-42
Remark on Protest The additional search fees were accompanied by the applicant's protest. No protest accompanied the payment of additional search fees.



International Application No JS 99/24937

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 D06F95/00 B65D33/16 D06F43/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

 $\begin{array}{ccc} \text{Minimum documentation searched} & \text{(classification system followed by classification symbols)} \\ IPC & 7 & D06F & B65D \\ \end{array}$

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

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US 5 789 368 A (ROGERS STEVEN BARRETT ET AL) 4 August 1998 (1998-08-04) the whole document	1,9,30, 39-41
	ISAO (JP); KAO CORP (JP); SHIGEMATSU KUN) 5 February 1998 (1998-02-05) abstract; figures 1-17 EP 0 387 658 A (HENKEL KGAA) 19 September 1990 (1990-09-19) the whole document US 5 789 368 A (ROGERS STEVEN BARRETT ET AL) 4 August 1998 (1998-08-04) the whole document

Further documents are listed in the continuation of box C.	χ Patent family members are listed in annex.
"A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "&" document member of the same patent family
Date of the actual completion of the international search	Date of mailing of the international search report
9 March 2000	'- 1. 09. 00
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2	Authorized officer
NL – 2280 HV Rijswijk Tel. (+31–70) 340–2040, Tx. 31 651 epo nl, Fax: (+31–70) 340–3016	Norman, P

2



International Application No

Category Citation of document, with indication, where appropriate, of the relevant passages	
22 January 1997 (1997-01-22) A US 4 267 077 A (NIIMI YUKIHISA ET AL) 1,9, 12 May 1981 (1981-05-12) 13,1 27-2 38,4 the whole document A W0 97 00992 A (PROCTER & GAMBLE) 9 January 1997 (1997-01-09) 13,1 27-2 38,4 the whole document A US 5 723 426 A (STRICKLAND WILBUR CECIL ET AL) 3 March 1998 (1998-03-03) 13,1 27-2 38,4 the whole document A US 4 336 024 A (ROSSARD JEAN-CLAUDE ET AL) 22 June 1982 (1982-06-22) 15,3 34,3	claim No.
12 May 1981 (1981-05-12) the whole document WO 97 00992 A (PROCTER & GAMBLE) 9 January 1997 (1997-01-09) the whole document US 5 723 426 A (STRICKLAND WILBUR CECIL ET AL) 3 March 1998 (1998-03-03) the whole document US 4 336 024 A (ROSSARD JEAN-CLAUDE ET AL) 22 June 1982 (1982-06-22) 13,1 27-2 38,4 1,9, 13,1 27-2 38,4	, 10
the whole document WO 97 00992 A (PROCTER & GAMBLE) 9 January 1997 (1997-01-09) the whole document US 5 723 426 A (STRICKLAND WILBUR CECIL ET AL) 3 March 1998 (1998-03-03) the whole document US 4 336 024 A (ROSSARD JEAN-CLAUDE ET AL) 22 June 1982 (1982-06-22) 1,9, 23,34,35	14, 29,
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ET AL) 3 March 1998 (1998-03-03) 13,1,27-29 38,45 the whole document US 4 336 024 A (ROSSARD JEAN-CLAUDE ET AL) 22 June 1982 (1982-06-22) 15,36 34,39	43
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PCT

REC'D 2 0 FEB 2001

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Appli	Applicant's or agent's file reference		nt's file reference	See Notification of Transmittal of International				
7315/JH				FOR FURTHER ACTION		Examination Report (Form PCT/IPEA/416)		
Interr	International application No.			International filing date (day/month	n/year)	Priority date (day/month/year)		
PCT	T/US99	9/24	937	22/10/1999		24/10/1998		
D06	F43/0	0	nt Classification (IPC) or na	ational classification and IPC				
			ational preliminary exam smitted to the applicant a		d by this Inte	rnational Preliminary Examining Authority		
2.	This R	EPO	RT consists of a total of	f 12 sheets, including this cover	sheet.			
	be (s	en a ee R	mended and are the ba	sis for this report and/or sheets on the Administrative Instruction	containing re	n, claims and/or drawings which have ctifications made before this Authority ne PCT).		
3.	This re	eport ⊠	contains indications rela	ating to the following items:				
	11		•					
	Ш	☒		opinion with regard to novelty, inventive step and industrial applicability				
ł.	V	×	Reasoned statement u		novelty, inve	entive step or industrial applicability;		
	VI		Certain documents cit	· -				
	VII	\boxtimes	Certain defects in the i	international application				
	VIII	×	Certain observations of	on the international application				
Date	e of sub	missio	on of the demand	Date of	completion of	this report		
02/	05/200	00		15.02.2	2001			
		exam	g address of the internation ining authority:	aal Authori	zed officer	STO LOUES MIDNIES		
	<u>)</u>	D-8	opean Patent Office 0298 Munich +49 89 2399 - 0 Tx: 52365	Dreye	er, C			
			: +49 89 2399 - 4465	'	one No. +49 8	9 2399 7496		



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/24937

l.	Bas	is	of	the	re	po	t
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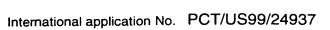
١.	resp the i	onse to an invitation	rawn on the basis of (substitute sheets which have been furnished to the receiving Office in on under Article 14 are referred to in this report as "originally filed" and are not annexed to not contain amendments (Rules 70.16 and 70.17).):						
	1-39	•	as originally filed						
	Clai	ms, No.:							
	1-43	3	as originally filed						
	Drav	wings, sheets:							
	1/13	3-13/13	as originally filed						
2.	With lang	th regard to the language , all the elements marked above were available or furnished to this Authority in the guage in which the international application was filed, unless otherwise indicated under this item.							
	The	se elements were	available or furnished to this Authority in the following language: , which is:						
		the language of a	translation furnished for the purposes of the international search (under Rule 23.1(b)).						
		the language of p	ublication of the international application (under Rule 48.3(b)).						
		the language of a 55.2 and/or 55.3).	translation furnished for the purposes of international preliminary examination (under Rule						
3.	With	With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:							
		contained in the in	nternational application in written form.						
		filed together with	the international application in computer readable form.						
		furnished subseq	uently to this Authority in written form.						
		☐ furnished subsequently to this Authority in computer readable form.							
		☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.							
		The statement the listing has been for	at the information recorded in computer readable form is identical to the written sequence urnished.						
4.	The	amendments hav	e resulted in the cancellation of:						
		the description,	pages:						
		the claims,	Nos.:						



INTERNATIONAL PRELIMINARY **EXAMINATION REPORT**

International application No. PCT/US99/24937

		the drawings,	sheets:					
5.		This report has been considered to go bey	established as if (some of) the amendments had not been made, since they have beer yond the disclosure as filed (Rule 70.2(c)):					
		(Any replacement sh report.)	neet containing such amendments must be referred to under item 1 and annexed to this					
6.	Add	litional observations, i	if necessary:					
III.	Nor	n-establishment of o	pinion with regard to novelty, inventive step and industrial applicability					
1.	The obv	questions whether the ious), or to be industr	ne claimed invention appears to be novel, to involve an inventive step (to be non- ially applicable have not been examined in respect of:					
		the entire internation	al application.					
	×	claims Nos. 37.						
be	caus	se:						
			I application, or the said claims Nos. relate to the following subject matter which does ational preliminary examination (<i>specify</i>):					
			ns or drawings (<i>indicate particular elements below</i>) or said claims Nos. are so unclear opinion could be formed (<i>specify</i>):					
		the claims, or said c could be formed.	laims Nos. are so inadequately supported by the description that no meaningful opinior					
	☒	no international sea	rch report has been established for the said claims Nos. 37.					
2. A meaning and/or am Instruction		d/or amino acid seque	al preliminary examination report cannot be carried out due to the failure of the nucleotic ence listing to comply with the standard provided for in Annex C of the Administrative					
		the written form has	not been furnished or does not comply with the standard.					
			ble form has not been furnished or does not comply with the standard.					
١٧	. La	ck of unity of inventi	ion					
1.	In r	n response to the invitation to restrict or pay additional fees the applicant has:						
		restricted the claims	S.					



		paid additional fees.							
		paid additional fees under protest.							
		neither restricted nor paid additional fees.							
2.	Ø	This Authority found that the requirement of unity of invention is not complied and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.							
3.	This	This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 i							
		complied with.							
	not complied with for the following reasons: see separate sheet								
4.		Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:							
		all parts.							
	×	the parts relating to claims Nos. 1-36,38-43.							
٧.		easoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; tations and explanations supporting such statement							
1.	Sta	tement							
No		velty (N)	Yes: No:	Claims Claims	4-8,10-15,19,23,25-36,38-43 1-3,9,16-18,20-22,24				
	Inve	entive step (IS)	Yes: No:	Claims Claims	1-36,38-43				
	Ind	ustrial applicability (IA)	Yes: No:	Claims Claims	1-36,38-43				

2. Citations and explanations see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted: see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:





International application No. PCT/US99/24937

see separate sheet

INTERNATIONAL PRELIMINARY **EXAMINATION REPORT - SEPARATE SHEET**



Re Item IV

Lack of unity of invention

The applications contains following separate (groups of) inventions:

- claims 1-36,38-43: flexible wrap container, a kit for cleaning clothes and a process for cleaning clothes with said flexible wrap container;
- an article of manufacture for applying a cleaning composition to a - claim 37: stain.

There is no unity of invention (Rule 13.1 PCT) as no technical relationship involving one or more of the same or corresponding special technical features in the sense of Rule 13.2 PCT exists between the subject-matter of these two groups of claims.

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

No additional fees having been paid, the International Search Report has been restricted to the invention first mentioned in the claims; and covered by claims 1-36,38-43.

As the invention of claim 37 has not been searched, it will not be taken into account in the present examination.





Re Item VIII

Certain observations on the international application

Although claims 1,16,20,24 have been drafted as separate independent claims, 1. they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought or in respect of the terminology used for the features of that subjectmatter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, claims 1,16,20,24 do not meet the requirements of Article 6 PCT.

The part (a) of independent claim 9 defines a wrap container in terms of its 2. technical features, whereas the part (b) relates to a method of using this wrap container.

This leaves a doubt as to the category of claim 9 (cf. PCT Guidelines, C-III, 4.1). Therefore, the intended limitations are not clear from this claim, contrary to the requirements of Article 6 PCT.

Moreover, it is reminded that a mere presentation of information, that is solely characterised by the content of the information, would be excluded from the international preliminary examination under Rule 67 PCT (see also the PCT Guidelines, C-IV, 2.4 (e)).

3. The product claims 10-15,27-29,43 not only define a wrap container but also relationships to other entities: liquid cleaning composition, rinse cycle conditioner, dispenser...

This raises a doubt as to the sought extend of protection, and leads to lack of clarity (Article 6 PCT, Guidelines C-III, 4.8(a)). A product should be defined in terms of its own technical features, and not by features relating to its use.



Moreover, even if the definitions used in these claims could be maintained, an additional lack of unity (Rule 13.1 PCT) would arise, the subject-matter of the independent claim 9 to which they are appended, being not new (see part V below).

Indeed, a technical relationship involving one or more of the same or corresponding special technical features in the sense of Rule 13.2 PCT would not longer exist between the subject-matter of the following groups of dependent claims:

- claims 10,13,14: addressed to a liquid cleaning composition;
- claims 11,12,27-29: addressed to a rinse cycle conditioner and its dispensing;
- claim 15: addressed to a wash pretreatment applicator.
- The claims 39,40 do not meet the requirements of Article 6 PCT in that the matter 4. for which protection is sought is not clearly defined. Indeed, these claims attempt to define the subject-matter in terms of the result to be achieved (improved ironing efficiency, reduced wrinkling) which merely amounts to a statement of the underlying problem. The technical features necessary for achieving this result are missing.

The same objection applies to the product claim 23, in which the terms "said fence increases when..." also seems to refer to an effect to be achieved.

- The term "about" used in claims 27,28,31,33,42 is vague and unclear and leaves 5. the reader in doubt as to the meaning of the technical features to which it refers, thereby rendering the definition of the subject-matter of said claims unclear (Article 6 PCT).
 - It can moreover be remarked that using the term "about" in relation to the limits of a range of values, as it is the case here, seems inadequate. Indeed, the purpose of the definition of a value range for a parameter, is to allow already for parameter variations within the limits of this range. These range limits should therefore at least be defined clearly.
- Claim 19 is unclear (Article 6 PCT) because the "length of said body" is 6. undefined.





Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: DE 25 47 588 A

D2: WO 98 04770 A

D3: EP 0 387 658 A

D4: US 4 267 077 A

D5: WO 97 00992 A

D6: GB 2 302 553 A

2. Lack of novelty (Article 33 (1) and (2) PCT)

As far as it can be understood, the subject-matter of **independent claims** 1,9,16,20,24 and **dependent claims** 2,3,17,18,21,22 is not new in the sense of Article 33(1) and (2) PCT.

2.1 As far as **independent claim 1** is concerned, document D1 (cf. page 8, first paragraph - page 10, last paragraph; figures 1-4) already describes a wrap container that has all the features of this claim, namely:

"a flexible wrap container (A) for use in a washing machine, comprising: a flexible panel having a right edge, a left edge, a top edge, and a bottom edge (cf. f.ex. dotted lines in fig.3);

at least one strap (B,B1) and a first fastening device (10) attached to said strap for securing the wrap container in a roll-like shape;

a first flap attached to said right edge of said flexible panel, and a second flap attached to said left edge of said flexible panel, wherein said first and second flaps overlap when folded about their respective edges."





- 2.2 Also the subject-matter of **independent claim 9**, as far as it can be understood (see VIII, 2), is not new in the sense of Article 33(1) and (2) PCT.

 This claim describes the combination of a wrap container according to claim 1, with "instructions": it is however implicit that the wrap container of D1 is also accompanied by "instruction", in one way or another.
- 2.3 The wrap container described in D1 (cf. figure 3) also anticipates the features of independent claim 16, as D1 discloses a tapered portion (B1) with a strap (14) and a fastening device (10) attached thereto, and of independent claim 24, as the flaps of D1 can be folded about said edges.
- 2.4 As far as **independent claim 20** is concerned, its subject-matter is anticipated by the wrap container of document D2 (cf. abstract; figures 1,2,5,6) that already shows:

"a flexible wrap container (2) for use in a washing machine, comprising: a flexible panel having a right edge, a left edge, a top edge, and a bottom edge;

- at least one strap (8,7) and a first fastening device (9,15) attached to said strap for securing the wrap container in a roll-like shape; and a flexible fence (cf. zipper) extending along at least a portion of each of said right and left edges of said panel for containing a garment during use."
- 2.5 The **dependent claims 2,3,17,18,21,22** do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty.



INTERNATIONAL PRELIMINARY InterEXAMINATION REPORT - SEPARATE SHEET

- 3. Lack of inventive step (Article 33(3) PCT)
- 3.1 As far as it can be understood, the subject matter of **independent claim 30** is not considered to involve an inventive step (Article 33(3) PCT).

Indeed, the subject-matter of claim 30 only differs from the disclosure of document D1, which is considered to represent the closest prior art, in that it explicitly describes the use of the wrap container.

But this use is for one part implicitly disclosed in D1, the wrap container of this document being indeed provided for containing a garment to be washed in a washing machine, and for the other part the result of a normal way to proceed for anyone who wants to individually protect a garment to be washed. Indeed, no inventive step can be seen in:

- (b) placing said wrap container with a liquid cleaning composition in a washing machine (see also D2, figure 6);
- (c) operating the washing machine as prescribed by the manufacturer.

Moreover, a doubt arises as to the industrial applicability of the method of claim 30, which is nothing more than the usual domestic method any person would use.

3.2 Dependent claims 4-8,10-15,19,25-29,31-36,38-43 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:

The additional features of **claims 4-8** are considered to be normal design options for the skilled person (see also D2, figure 10; D3, claim 1).

The additional features of **claims 10-15** are directed to a combination of a wrap container with other entities, and are not essential for the definition of the claimed invention. Moreover, these features are also normal design options (see f.ex. also documents D4,D5,D6).



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Dependent claims 19,26 are addressed to a slight constructional changes which comes within the scope of the customary practice followed by persons skilled in the art.

The material choice of claim 25 is nothing more than a normal design option.

The additional features of claims 27-29,31-36,38-43 are either directed to the combination in use of a wrap container with other entities (garment, conditioner, pretreatment solution et.) or to the composition of said other entities (chemical composition of cleaning liquid, silk fibres of garment etc.). Therefore these features are not essential for the definition of the claimed invention. Furthermore, they are anyway normal design options.

Re Item VII

Certain defects in the international application

- The requirements of Rule 6.3 b) PCT are not met because the independent claims 1. are not properly drafted in the two-part form.
- Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art 2. disclosed in the documents D1 and D2 is not mentioned in the description, nor are these documents identified therein.
- Reference signs in parentheses are not inserted in the claims to increase their 3. intelligibility, Rule 6.2 b) PCT.